

**DISPOSITION:** April 7, 1947. Pleas of nolo contendere having been entered on behalf of the three defendants, the court imposed fines of \$200 against the partnership and \$20 against each individual defendant.

**11780. Adulteration of dried peaches and raisins. U. S. v. Vagim Packing Co., a partnership, and James G. Vagim. Pleas of nolo contendere. Partnership fined \$1,000; individual fined \$500. (F. D. C. No. 21532. Sample Nos. 1094-H, 12175-H.)**

**INFORMATION FILED:** March 28, 1947, Southern District of California, against the Vagim Packing Co., Fresno, Calif., and James G. Vagim, a partner.

**ALLEGED SHIPMENT:** Between the approximate dates of January 8 and 18, 1946, from the State of California into the States of Georgia and Rhode Island.

**LABEL, IN PART:** "Sail-Maker Brand Varigrade Yellow Peaches," or "Plump and Meaty \* \* \* Thompson Seedless Raisins."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the peaches consisted in part of a filthy and decomposed substance by reason of the presence of sand, black grit, dirt, and moldy peaches; the raisins consisted in part of a decomposed substance by reason of the presence of moldy and decomposed raisins.

**DISPOSITION:** August 14, 1947. The partnership having entered a plea of nolo contendere to counts 1 and 2 and not guilty to counts 3, 4, and 5, was fined \$500 on each of the first 2 counts. James G. Vagim having entered a plea of nolo contendere to count 1 and not guilty to counts 2, 3, 4, and 5, was fined \$500 on the first count. All counts of the information to which a plea of not guilty was entered were dismissed.

**11781. Adulteration of prunes. U. S. v. 2,863 Cartons \* \* \*. (F. D. C. No. 21413. Sample No. 52681-H.)**

**LIBEL FILED:** November 14, 1946, Southern District of Indiana.

**ALLEGED SHIPMENT:** On or about August 6, 1946, by the Clara Val Packing Co., from Morgan Hill, Calif.

**PRODUCT:** 2,863 25-pound cartons of prunes at Terre Haute, Ind.

**LABEL, IN PART:** "Hi Value Santa Clara Prunes."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** January 3, 1947. Recipe Foods, Inc., Terre Haute, Ind., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the separation of the portion fit for human consumption from the unfit portion. The latter was ordered destroyed, or used for animal feed or distillation purposes, all under the supervision of the Federal Security Agency.

**11782. Adulteration of frozen blackberries. U. S. v. 951 Cases \* \* \*. (F. D. C. No. 21384. Sample Nos. 66950-H, 67136-H.)**

**LIBEL FILED:** On or about November 1, 1946, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 11, 1946, by the Craddock Canning & Preserve Co., from Paducah, Ky., to Kansas City, Mo., and reshipped from that point by Frost King Foods, Inc., on October 2, 1946.

**PRODUCT:** 951 cases, each containing 6 6-pound cans, of frozen blackberries at Chicago, Ill.

**LABEL, IN PART:** "Frost King Fancy Frozen Blackberries \* \* \* Frost King Foods, Inc., Rochester, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of maggots and other insects and decomposed berries.

**DISPOSITION:** December 13, 1946. Frost King Foods, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvage, under the supervision of the Food and Drug Administration. The product was used in the manufacture of brandy.

**11783. Adulteration and misbranding of frozen cherries. U. S. v. 77 Cases \* \* \*. (F. D. C. No. 21418. Sample No. 51570-H.)**

**LIBEL FILED:** November 8, 1946, District of Minnesota.